

**REMARKS**

**I. Overview of the Office Action**

Claims 1, 3, and 8 are now rejected under 35 U.S.C. § 102(a) as being anticipated by newly cited Japanese Laid-Open Patent No. 1-139281 (hereafter “‘281”). Claims 5-7 and 13-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over ‘281 in view of newly cited Moriyasu et al. (U.S. Patent No. 7,046,264, hereafter “Moriyasu”). Claims 10 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over ‘281 in view of Lee (U.S. Patent No. 6,665,025). Claims 9 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**II. Rejection under 35 U.S.C. § 102(e) based on ‘281**

The Examiner has rejected claims 1, 3 and 8 under 35 U.S.C. § 102(b) and allegedly being anticipated by the ‘281 reference. By this Amendment, however, Applicant has incorporated the allowable subject matter of claim 9, and intervening claim 8, into claim 1. Accordingly, Applicant submits that the rejection of claim 1 is now moot. In view of the amendment, Applicant has canceled claim 8 without prejudice or disclaimer. Applicant submits that claim 3 is patentable at least by virtue of its dependency.

**III. Rejection under 35 U.S.C. § 103(a) based on ‘281, Moriyasu and Lee**

The Examiner has rejected claims 5-7 and 13-18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over the ‘281 reference and Moriyasu. Applicant submits, however, that claims 5-7 are patentable at least by virtue of their dependency upon claim 1. Further, since the allowable subject matter of claim 9 has been incorporated into claim 13, Applicant submits that

the rejection of such claim is now moot. Claims 14-18 are patentable at least by virtue of their dependency.

Also, the Examiner has rejected claims 10 and 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over the '281 reference and Lee. Applicant submits, however, that such claims are patentable at least by virtue of their dependency.

#### **IV. Allowable Subject Matter**

As set forth above, the Examiner has indicated that claims 9 and 11 contain allowable subject matter. By this Amendment, Applicant has incorporated claim 9 into claim 1 and claim 13. Accordingly, claim 9 has been canceled without prejudice or disclaimer. Also, Applicant has rewritten claim 11 into independent form.

#### **V. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860


WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 24, 2007

Respectfully submitted,

  
Allison M. Tulino  
Registration No. 48,294